IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 17230 of 2007(A)

PETITIONER:

T.SHYJA,
PROPRIETRIX, MADHAVA METAL NALL MANUFACTURES,
PURATHUR, TIRUR, TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.H.BADARUDDIN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
MALAPPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT.

BY G.P. SRI. MOHAMMED RAFFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 17230 OF 2007

Dated this the 14th day of June, 2007

JUDGMENT

Since counsel for the petitioner submitted that petitioner is willing to clear the arrears, which is above Rs. 10 lakhs, in monthly instalments, W.P. is disposed of directing respondents not to further sell or transfer possession of the property purchased by the Govt. in revenue recovery proceedings for the petitioner to clear the arrears as follows. Petitioner will clear the arrears in monthly instalment of Rs. 1 lakh with future interest thereon until arrears are cleared. First instalment will be paid on or before 15th of July, 2007 and the balance on or before 15th of every succeeding month until arrears are cleared. As and when arrears are cleared the sale in favour of the State will stand set aside. However, if the petitioner commits default in payment of any instalment, respondents are free to confirm the sale in favour of the Govt. and deal with the property as desired by them.

2. It will be open to the petitioner to contest the liability by collecting orders and by pursuing the remedy against the same. If the

petitioner gets any reduction, only such reduced amount can be recovered and if any excess amount is paid, the same will be refunded to the petitioner.

(C.N.RAMACHANDRAN NAIR)
Judge